



October 31, 2019

The Honorable Sarah Netburn  
United States Magistrate Judge  
Thurgood Marshall Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

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BY ECF

**Re: *In re Terrorist Attacks on September 11, 2001, No. 1:03-md-01570 (S.D.N.Y.)***

Dear Judge Netburn:

We write on behalf of defendant Dallah Avco in connection with Saudi Arabia's October 28, 2019 request for a scheduling order.

This Court previously ordered that, because the claims against Saudi Arabia relate in part to the claims against Dallah Avco, the deadline for jurisdictional discovery regarding Dallah Avco should coincide with the deadline with respect to Saudi Arabia. Dkt. 4389. The rationale underlying that order remains applicable. Jurisdictional discovery against Dallah Avco should therefore continue on the same schedule as jurisdictional discovery against Saudi Arabia.

Dallah Avco strongly endorses Saudi Arabia's proposal that the Court direct each party to disclose the identities of any fact witnesses from whom that party will submit a declaration (other than declarations solely to authenticate or provide foundation for documents) by a date certain well before the close of fact discovery. That proposal would furnish the parties with an opportunity to depose each other's declarants and avoid unfair surprise.

Dallah Avco's position on expert discovery remains the same as expressed in the parties' May 31, 2019 status report (Dkt. 4566): Dallah Avco takes no position on Saudi Arabia's request that expert submissions not be permitted. If the Court decides to allow expert submissions, Dallah Avco expects to submit a declaration from a Saudi employment law expert and asks that the Court set a schedule for reports and depositions.

Dallah Avco takes no position on the remaining issues in Saudi Arabia's letter.

Respectfully submitted,



Robert Kry

cc: All counsel by ECF